



STATE OF MARYLAND



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FREDERICK COUNTY LIQUOR BOARD
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INFORMATION FOR APPLICANTS

The Frederick County Liquor Board offers three different kinds of licenses: Beer; Beer and Light Wine; and Beer, Wine and Liquor. Further, there are three classes of licenses in Frederick County: Class A - Off Sale Only; Class B - On Sale (Beer, Wine and Liquor with an alcoholic content of up to 14.5% by volume may be sold off sale with a Class B license); and Class C - On Sale Only for non-profit clubs.

When applying for a license, the election district of the proposed property must first be checked to see if it is open, limited to beer only or dry. The census limit must then be determined. For Class A - Off Sale licenses, this would be one license for every full 4,000 people in that election district. For Class B - On Sale licenses, it would be one license for every 4,000 people in that election district or the greater fraction thereof. However, the Class B - On Sale - Beer, Wine and Liquor license is not regulated by the census count, rather an assessment value. We are required to use the Federal Census figures that are taken every 10 years.

Next, the property involved must be properly zoned before an application for an alcoholic beverages license can be considered. You will need to check with Planning and Zoning for this information.

If applying for an **INDIVIDUAL** or a **PARTNERSHIP** license, the individuals or partners involved must be residents of Frederick County for at least two years prior to applying for an alcoholic beverage license, taxpayers and registered voters. The individuals or partners must remain residents of Frederick County the entire time they are on the license. If the application is filed as a partnership, a certified copy of the partnership agreement must be submitted at the time of the filing.

If applying as a **CORPORATION** or an **UNINCORPORATED ASSOCIATION** the license would be applied for and issued to the corporation and three officers of the corporation or unincorporated association, at least one of whom must be a taxpayer, a registered voter and a Frederick County resident for the past two years and continue to reside in Frederick County while he/she is on the license. If applying as a **CLOSE CORPORATION** then all officers of the corporation must make application, whether there is one officer for six officers.

Again, there must be at least one person on the application who must be a taxpayer, a registered voter and a Frederick County resident for the past two years and continue to reside in Frederick County while he/she is on the license.

TRANSFERS require the present licensee to make an application for a Bulk Transfer permit. All taxes (Retail Sales, Admission and Amusements and Withholding) must be paid to the Comptroller of the Treasury of the State before a transfer will be completed. Also, a Bulk Transfer Act must be completed. This gives the Buyer a list of creditors and an approximate amount owed to each one. The Act requires the seller to give this office an affidavit saying he/she has complied with this act.

If the application is for a Class B, On Sale license, the **HEALTH DEPARTMENT'S** approval must be obtained prior to the hearing. Notify the Health Department as soon as you pick up your application so they can advise you what needs to be done. This should give you ample time to complete any necessary work before your hearing.

All establishments must receive an approval from the **FIRE MARSHAL** prior to the issuance of the license. You should contact the Office of the Fire Marshal as soon as possible to allow them enough time to make an inspection.

A **CERTIFICATE OF OCCUPANCY** must be obtained before a license can be issued by this office.

All Class B and Class C establishments must have at least two **RESTROOMS**, one for each sex.

Class B, BEER or BEER AND LIGHT WINE - A kitchen is required for you to serve food, and a seating capacity must be available for 28 persons or more at tables - not including seats at counter tops or bar areas.

Class B, BEER, WINE AND LIQUOR - A restaurant shall serve full-course meals twice daily, have a regular seating capacity at tables for 50 or more persons (at tables, not including seats at counter tops or bar areas), operate in a physical plant which has a valuation for purposes of State and local Assessment and Taxation of not less than \$40,000 and personal property of not less than \$5,000. This license does not permit sales for consumption anywhere except on the premises where meals are prepared and served except in the case of alcoholic beverages with an alcoholic content of not more than 14.5% by volume.

All applicants must be fingerprinted. The fingerprinting cards are given to each applicant at the time the application is handed out. The cards are sent to be checked by the State and the FBI. The fee for this process is \$45.00 per applicant.

The **PROPERTY OWNER** must sign the application giving his consent to the granting of the license, if issued, and also the right of search, without a warrant, during any and all hours, if need be, by this office, state and local police and duly authorized representatives of the Comptroller's Office in Baltimore and Annapolis. The property owner's signature must be witnessed and notarized. If both husband and wife own the property, both signatures must be on there. If the property is owned by a partnership, all partners must sign. If the property is corporately owned, the President or the Vice-President need only sign.

The application must contain at least ten **SIGNATURES** (each must be property owners and registered voters) in that precinct in which the business is located. The signatures and information must be legible and complete or the names will not be accepted. The application with the ten or more signatures must be verified by Elections and then assessments before filing the application with our office.

At the time of filing the application, the applicant must put pay a \$200 fee. This will cover all advertising costs and hearing expenses and any other expense brought on the office by the applicants' application. The fee is non-refundable.

The deadline for filing the application is 30 days from the date that appears on the front of the application, unless other restrictions apply. Everything must be filled out completely and the applicant(s) must sign the application in front of a Notary Public. Any additional papers that are required to be submitted with the application must be done at this time. A hearing date will not be set up until all the papers that are necessary have been submitted.

The applicant must apply for a **MARYLAND RETAIL SALES TAX LICENSE** as soon as possible. This number is required in order for the license to be issued. Also, if applicable, we will need your **WORKER'S COMPENSATION** policy or binder number and the name of insurance company. After being granted a license, all licensees must apply for a **FEDERAL TAX STAMP**.

From the time the application is filed, it takes approximately six weeks until the hearing is held. This is primarily because the application must be advertised two weeks, successive, in the local papers. The hearing date is approximately two to four weeks from the last date of advertisement. All applicants must appear at the hearing.

If the hearing is for a transfer, be sure to bring the present license with you. All new applications will pay the regular fee, pro-rated on a quarterly basis if the license is granted. Transfers pay a fee of \$20.00 since the license has been paid for the full year. All license fees are paid at out office and we will issued you the license from this office. All licenses are renewable by May 1st of every year.

LICENSE FEES

<u>Class A-Off Sale</u>	<u>Class B-On Sale</u>	<u>Class C-Clubs</u>
Beer \$100	Beer \$130	Beer \$50
Beer & Lt. Wine \$140	BLW \$160	BLW \$70
Beer, Wine & Liq. \$650	BWL \$1500	BWL \$600
Winery \$ 50	Hotel \$2000	Arts \$325
Beer, Wine & Liq. (Sunday Sales) \$650	Banquet \$1500	Co. Club\$1500
(addt'l required)	Dinner Theatre \$1500	Stadium \$500
	Bed & Breakfast \$2000	Private \$2000
		Co. Club
*Sunday Sales for Class A, Beer License is an addt'l \$100		
Sunday Sales for Class A, Beer and Light Wine is an addt'l \$140		

HOURS OF OPERATION: Class A - Mon-Sat - 6 am to 12 midnight
Sunday - 1 pm to 12 midnight for Beer or Beer and Light Wine
(Note: If you have a Special Sunday Permit for Beer or Beer and Light Wine, you may open on Sunday at 12 noon)
Class A, BWL **(Licensees must have Special Sunday Permit to be open)**
Class B and Class C - 6 am to 2 am - Monday-Saturday
Class B and Class C - 11 am to 2 am - Sunday

DRY DISTRICTS - Ballenger, Catoctin, Hauvers, Jackson, and Linganore
BEER ONLY - Burkittsville, Jefferson, Johnsville and Middletown

OFFICE HOURS - Monday-Friday 8:00am to 4pm
PLEASE CALL THE OFFICE AT (301) 600-2984 IF YOU HAVE ANY OTHER QUESTIONS OR YOU NEED FURTHER INFORMATION.